

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**JUXTACOMM TECHNOLOGIES, INC.,**

**Plaintiff,**

**v.**

**ASCENTIAL SOFTWARE  
CORPORATION, et al.,**

**Defendants.**

**Civil Action No. 2:07-CV-359 LED**

**JOINT MOTION TO AMEND DOCKET CONTROL ORDER**

Pursuant to Rule (6)b of the Federal Rules of Civil Procedure, Plaintiff JuxtaComm Technologies, Inc. and Defendants Ascential Software Corporation, International Business Machines Corporation, and Microsoft Corporation request a modification of the Docket Control Order as follows:

<b>Activity</b>	<b>Current Deadline</b>	<b>Proposed New Deadline</b>
Joint Proposed Jury Instructions with citation to authority and Form of the Verdict for jury trials	September 17, 2009	October 9, 2009

The parties agree that this proposed modification will not affect any other deadlines, is so that justice may be done, and is not for any improper purpose.

WHEREFORE, the parties respectfully request this Court enter the accompanying Agreed Order Setting forth the amendments to the Docket control Order and grant such other and further relief that is just and proper.

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on September 15, 2009, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Kelly C. Hunsaker

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